

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Astely, David	§	Group Art Unit:	2618
Serial No:	10/596,707	§	Examiner:	Nguyen, Hai V
Filed:	06/22/2006	§	Confirmation No.:	9781
		§		
		§		
		§		

For: Measurement Method for Spatial Scheduling

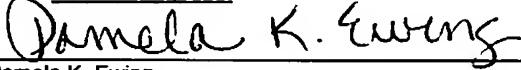
Via EFS-Web

Mail Stop AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or being transmitted via facsimile or EFS-Web to the USPTO on the date indicated below.

Date: November 6, 2008


Pamela K. Ewing

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

In response to the Notice of Non-Compliant Amendment dated October 14, 2008, the Applicant hereby resubmits the amendment dated 09/03/2008, which was inadvertently missing page 9 of 9, the signature page.

Respectfully submitted,

Date: Nov. 6, 2008


Steven W. Smith
Registration No. 36,684

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27045 e 10/14/2008

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Paper No.

Application No.: 10/596,707 	Date Mailed: 10/14/2008
First Named Inventor: Astely, David,	Examiner: NGUYEN, HAI V
Attorney Docket No.: P18745-US1	Art Unit: 2618
Confirmation No.: 9781	Filing Date: 06/22/2006

Please find attached an Office communication concerning this application or proceeding.

Commissioner for Patents

**Notice of Non-Compliant Amendment
(37 CFR 1.121)**

Application No.
10/596,707

Applicant(s)
ASTELY, DAVID

Art Unit
3998

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 03 September, 2008 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.
- ☒ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance, or a drawing submission (only) If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1 to 4 are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable /TAMMY ACREE/

Telephone No: (571)272-7017

The Amendment dated 9-3-08 is missing page 9 of 9 (the signature).

AMENDMENT TRANSMITTAL LETTER (Large Entity) Applicant(s): David Astely	Docket No. P18745-US1
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Application No. 10/596,707	Filing Date June 22, 2006	Examiner Hai V. Nguyen	Customer No. 27045	Group Art Unit 2618	Confirmation No. 9781
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Invention: **Measurement Method for Spatial Scheduling**

COMMISSIONER FOR PATENTS:


Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

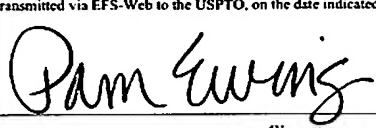
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	25 -	25 =	0 x	\$50.00	\$0.00
INDEP. CLAIMS	2 -	2 =	0 x	\$210.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. 50-1379 in the amount of \$0.00
- ☐ A check in the amount of to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 50-1379
 - ☒ Any additional filing fees required under 37 C.F.R. 1.16.
 - ☒ Any patent application processing fees under 37 CFR 1.17.


 Signature

Dated: **September 3, 2008**

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Certificate of Mailing or Transmission	
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 Signature	
Pam Ewing	September 3, 2008
Depositors's Name and Date	